

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JACOB BARRETT,

06-CV-1045-JE

Plaintiff,

ORDER

v.

MAX WILLIAMS, BRIAN BELLEQUE,  
and REBECCA PRINSLOW,

Defendants.

JACOB BARRETT

#11123024

Two Rivers Correctional Institution

82911 Beach Access Rd.

Umatilla, OR 97882

Plaintiff, *Pro Se*

HARDY MYERS

Attorney General

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**BROWN, Judge.**

Magistrate Judge John Jelderks issued Findings and Recommendation (#31) on March 30, 2007, in which he recommended the Court grant Defendants' Motion for Summary Judgment (#18), deny Plaintiff's Motion for Partial Summary Judgment (#25), and deny Plaintiff's Motion for Preliminary Injunction (#10). Plaintiff filed Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988); *McDonnell Douglas Corp. v. Commodore Business Mach., Inc.*, 656 F.2d 1309, 1313 (9<sup>th</sup> Cir. 1981), *cert. denied*, 455 U.S. 920 (1982).

This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. This Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and

Recommendation (#31) and, accordingly, **GRANTS** Defendants' Motion for Summary Judgment (#18), **DENIES** Plaintiff's Motion for Partial Summary Judgment (#25), and **DENIES** Plaintiff's Motion for Preliminary Injunction (#10).

IT IS SO ORDERED.

DATED this 30<sup>th</sup> day of May, 2007.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge